

(A) EXPLORATION OF ALTERNATIVE TECHNOLOGIES.—The President has agreed to explore alternative technologies for the destruction of the United States stockpile of chemical weapons in order to ensure that the United States has the safest, most effective and environmentally sound plans and programs for meeting its obligations under the Convention for the destruction of chemical weapons.

(B) CONVENTION EXTENDS DESTRUCTION DEADLINE.—The requirement in section 1412 of Public Law 99-145 (50 U.S.C. 1521) for completion of the destruction of the United States stockpile of chemical weapons by December 31, 2004, will be superseded upon the date the Convention enters into force with respect to the United States by the deadline required by the Convention of April 29, 2007.

(C) AUTHORITY TO EMPLOY A DIFFERENT DESTRUCTION TECHNOLOGY.—The requirement in Article III(1)(a)(v) of the Convention for a declaration by each State Party not later than 30 days after the date the Convention enters into force with respect to that Party, on general plans of the State Party for destruction of its chemical weapons does not preclude in any way the United States from deciding in the future to employ a technology for the destruction of chemical weapons different than that declared under that Article.

(D) PROCEDURES FOR EXTENSION OF DEADLINE.—The President will consult with Congress on whether to submit a request to the Executive Council of the Organization for an extension of the deadline for the destruction of chemical weapons under the Convention, as provided under part IV(A) of the Annex on Implementation and Verification to the Convention, if, as a result of the program of alternative technologies for the destruction of chemical munitions carried out under section 8065 of the Department of Defense Appropriations Act, 1997 (as contained in Public Law 104-208), the President determines that alternatives to the incineration of chemical weapons are available that are safer and more environmentally sound but whose use would preclude the United States from meeting the deadlines of the Convention.

(28) CONSTITUTIONAL PROTECTION AGAINST UNREASONABLE SEARCH AND SEIZURE.—

(A) IN GENERAL.—In order to protect United States citizens against unreasonable searches and seizures, prior to the deposit of the United States instrument of ratification, the President shall certify to Congress that—

(i) for any challenge inspection conducted on the territory of the United States pursuant to Article IX, where consent has been withheld, the United States National Authority will first obtain a criminal search warrant based upon probable cause, supported by oath or affirmation, and describing with particularity the place to be searched and the persons or things to be seized; and

(ii) for any routine inspection of a declared facility under the Convention that is conducted on an involuntary basis on the territory of the United States, the United States National Authority first will obtain an administrative search warrant from a United States magistrate judge.

(B) DEFINITION.—For purposes of this resolution, the term "National Authority" means the agency or office of the United States Government designated by the United States pursuant to Article VII(4) of the Convention.

(29) RUSSIAN ELIMINATION OF CHEMICAL WEAPONS.—Prior to the deposit of the United States instrument of ratification, the President shall certify to the Congress that—

(A) Russia is making reasonable progress in the implementation of the Agreement between the United States of America and the

Union of Soviet Socialist Republics on Destruction and Nonproduction of Chemical Weapons and on Measures to Facilitate the Multilateral Convention on Banning Chemical Weapons, signed on June 1, 1990 (in this resolution referred to as the "1990 Bilateral Destruction Agreement");

(B) the United States and Russia have resolved, to the satisfaction of the United States, outstanding compliance issues under the Memorandum of Understanding Between the Government of the United States of America and the Union of Soviet Socialist Republics Regarding a Bilateral Verification Experiment and Data Exchange Related to Prohibition on Chemical Weapons, signed at Jackson Hole, Wyoming, on September 23, 1989, also known as the "1989 Wyoming Memorandum of Understanding"; and the 1990 Bilateral Destruction Agreement;

(C) Russia has deposited the Russian instrument of ratification for the Convention and is in compliance with its obligations under the Convention; and

(D) Russia is committed to forgoing any chemical weapons capability, chemical weapons modernization program, production mobilization capability, or any other activity contrary to the object and purpose of the Convention.

(30) CHEMICAL WEAPONS IN OTHER STATES.—

(A) CERTIFICATION REQUIREMENT.—Prior to the deposit of the United States instrument of ratification the President, in consultation with the Director of Central Intelligence, shall certify to the Congress that countries which have been determined to have offensive chemical weapons programs, including Iran, Iraq, Syria, Libya, the Democratic People's Republic of Korea, China, and all other countries determined to be state sponsors of international terrorism, have ratified or otherwise acceded to the Convention.

(31) EXERCISE OF RIGHT TO BAR CERTAIN INSPECTORS.—

(i) IN GENERAL.—The President shall exercise United States rights under paragraphs 2 and 4 of Part II of the Verification Annex to indicate United States non-acceptance of all inspectors and inspection assistants who are nationals of countries designated by the Secretary of State as supporters of international terrorism under section 40(d) of the Arms Export Control Act, or nationals of countries that have been determined by the President, in the last five years, to have violated United States nonproliferation law, including—

(I) chapters 7, 8, and 10 of the Arms Export Control Act;

(II) sections 821 and 824 of the Nuclear Proliferation Prevention Act of 1994;

(III) sections 11b and 11c of the Export Administration Act of 1979;

(IV) the Export-Import Bank Act of 1945; and

(V) sections 1604 and 1605 of the Iran-Iraq Nonproliferation Act of 1992.

(ii) OTHER GROUNDS OF EXCLUSION.—The President shall also bar such nationals from entering United States territory for the purpose of conducting any activity associated with the Convention, notwithstanding paragraph 7 of Part II of the Verification Annex.

(32) STEMMING THE PROLIFERATION OF CHEMICAL WEAPONS.—Prior to the deposit of the United States instrument of ratification, the President shall certify to Congress that—

(A) the State Parties have concluded an agreement amending the Convention—

(i) by striking Article X; and

(ii) by amending Article XI to strike any provision that states or implies disapproval of trade restrictions in the field of chemical activities, including paragraphs 2(b), 2(c), 2(d), and 2(e); and

(B) no provision has been added to the Convention or to any of its annexes, and no

statement, written or oral, has been issued by the Organization, stating or implying the right or obligation of States Parties to share or facilitate the exchange among themselves of chemical weapons defense technology, chemicals, equipment, or scientific and technical information.

(33) EFFECTIVE VERIFICATION.—

(A) CERTIFICATION.—Prior to the deposit of the United States instrument of ratification, the President shall certify to Congress that compliance with the Convention is effectively verifiable.

(B) DEFINITIONS.—In this paragraph:

(i) EFFECTIVELY VERIFIABLE.—The term "effectively verifiable" means that the Director of Central Intelligence has certified to the President that the United States intelligence community (as defined in section 3(4) of the National Security Act of 1947) has a high degree of confidence in its ability to detect militarily significant violations of the Convention, including the production, possession, or storage of militarily significant quantities of lethal chemicals, in a timely fashion, and to detect patterns of marginal violation over time.

(ii) MILITARILY SIGNIFICANT.—The term "militarily significant" means one metric ton or more of chemical weapons agent.

(iii) TIMELY FASHION.—The term "timely fashion" means detection within one year of the violation having occurred.

SEC. 3. DEFINITIONS.

As used in this resolution:

(1) CHEMICAL WEAPONS CONVENTION OR CONVENTION.—The terms "Chemical Weapons Convention" and "Convention" mean the Convention on the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, Opened for Signature and Signed by the United States at Paris on January 13, 1993, including the following protocols and memorandum of understanding, all such documents being integral parts of and collectively referred to as the "Chemical Weapons Convention" or the "Convention" (contained in Treaty Document 103-21):

(A) The Annex on Chemicals.

(B) The Annex on Implementation and Verification.

(C) The Annex on the Protection of Confidential Information.

(D) The Resolution Establishing the Preparatory Commission for the Organization for the Prohibition of Chemical Weapons.

(E) The Text on the Establishment of a Preparatory Commission.

(2) ORGANIZATION.—The term "Organization" means the Organization for the Prohibition of Chemical Weapons established under the Convention.

(3) STATE PARTY.—The term "State Party" means any nation that is a party to the Convention.

(4) UNITED STATES INSTRUMENT OF RATIFICATION.—The term "United States instrument of ratification" means the instrument of ratification of the United States of the Convention.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Thursday, April 17, 1997, at 9 a.m. in SR-328A to receive testimony regarding crop and revenue insurance oversight.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. HUTCHISON. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Thursday, April 17, 1997, beginning at 10 a.m. in room 215 Dirksen.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, April 17, 1997, at 10 a.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, April 17, 1997, at 9:15 a.m. for a hearing on public education improvement opportunities for the District of Columbia.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. HUTCHISON. Mr. President, the Committee on the Judiciary would like to request unanimous consent to hold an executive business meeting on Thursday, April 17, 1997, at 10 a.m., in Room 226 of the Senate Dirksen Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULE AND ADMINISTRATION

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Thursday, April 17, 1997, beginning at 9:30 a.m. to consider the course of action regarding petitions in connection with a contested U.S. Senate election held in Louisiana in November 1996.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mrs. HUTCHISON. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a hearing to hear the testimony of Gen. Colin Powell on Persian Gulf War issues. The hearing will be held on April 17, 1997, at 9:30 a.m., in room 216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, April 17, 1997, at 2:30 p.m. to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EASTERN AND SOUTH ASIAN AFFAIRS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Sub-

committee on Near Eastern and South Asian Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, April 15, 1997, at 2 p.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMPLOYMENT AND TRAINING

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a Employment and Training Subcommittee Hearing on Innovations in Youth Training, during the session of the Senate on Thursday, April 17, 1997, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON INTERNATIONAL SECURITY, SECURITY, PROLIFERATION, AND FEDERAL SERVICES

Mrs. HUTCHISON. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Subcommittee on International Security, Proliferation, and Federal Services to meet on Thursday, April 17, at 10:30 a.m. for a classified hearing on "Proliferation: Chinese Case Studies."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Subcommittee of Readiness of the Committee on Armed Services be authorized to meet at 10 a.m. on Thursday, April 17, 1997, in open session, to receive testimony on the status of the operational readiness of the U.S. Military Forces in review of S. 450, the National Defense Authorization Act for fiscal year 1998 and 1999.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

SURFACE TRANSPORTATION AND EFFICIENCY ACT

• Mr. JEFFORDS. Mr. President, I am pleased to join 31 of my fellow Senators in introducing a reauthorization of our Nation's transportation legislation, the Intermodal Surface Transportation and Efficiency Act [ISTEA]. This bill commits our country to sound transportation planning and development and reflects the vital role transportation plays in our expanding economy.

In 1991, I was proud to be a member of the Environment and Public Works Committee and an original author of ISTEA. This innovative law has resulted in the development of efficient and effective transportation throughout our country. ISTEA shifted decision making from Washington to local communities, enhanced air quality health standards, increased mobility and allowed our economy to grow in an intelligent manner.

Today, I am equally honored to be involved in the introduction of ISTEA WORKS, the continuation of this suc-

cessful law. This bill retains the basic structure of ISTEA, preserving the role of States and local communities in deciding transportation policies, continuing the emphasis on intermodalism and maintaining support for strong environmental provisions. The bill protects the important enhancements programs, expands the Congestion Mitigation and Air Quality program and improves safety.

This legislation also addresses an issue important to Vermont and the Nation. As we have heard recently, Amtrak continues to struggle with its finances. Although I know Amtrak will survive, action must be taken to improve the system now. ISTEA WORKS grants States the flexibility to use Federal transportation dollars for operating and maintaining passenger service. This flexibility is important to Vermont, where we are running two of the most successful passenger trains in the Nation. The new authority will also enable our State to expand passenger rail and upgrade rail lines to benefit freight rail traffic.

Mr. President, this is a historic occasion. With the introduction of this legislation, we begin to raise the awareness of the success of ISTEA and the urgent need to reauthorize this important legislation with few major changes. ●

NOMINATION OF PETE PETERSON TO BE AMBASSADOR TO VIETNAM

Mr. FEINGOLD. Mr. President, I was pleased to see the Senate consider the President's nomination of Douglas "Pete" Peterson to be the United States Ambassador to Socialist Republic of Vietnam late last week. I supported this nomination in the Foreign Relations Committee. But I did so after careful consideration of the symbolism of this vote and of the signal it sends to Americans.

Mr. President, the appointment of an ambassador is a normal consequence of having full diplomatic relations with a given country. And we have had diplomatic relations with Vietnam since July 1995 when the President signed an executive order establishing such ties. So, technically, the Senate's view on this nominee does not represent a statement of policy. It simply represents the normal procedure by which the Senate provides its advice and consent to a Presidential nomination.

There has never been any serious question raised regarding the President's selection of Mr. Peterson to fill this position. Mr. Peterson is an outstanding citizen and public servant. He spent nearly 30 years in the U.S. Air Force, including 6½ years as a prisoner of war in Vietnam, and has received numerous awards for his valiant service. As a three-term Member of Congress from the second district in Florida, Mr. Peterson also has devoted significant energies to working with both the Bush administration and the Clinton Administration to bolster the U.S.